

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

ANTHONY MCBRYDE and AILEEN  
MCBRDYE,

Plaintiffs,

v.

FREEDOM MORTGAGE, et al.,

Defendants.

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1:22-CV-1038-RP

**ORDER**

Before the Court is the report and recommendation of United States Magistrate Judge Dustin Howell concerning separate motions to dismiss filed by Defendants Freedom Mortgage Corporation, Nestor Trustee Services, LLC, Stan Moskowitz, Stanley Middleman, Codilis & Moody, P.C., LoanCare LLC, and Stearns Lending, LLC, (Dkts. 14, 15, 16, 17, 25, 27). (R. & R., Dkt. 35). Plaintiffs Anthony McBryde and Aileen McBryde timely filed objections to the report and recommendation.

A party may serve and file specific, written objections to a magistrate judge's findings and recommendations within fourteen days after being served with a copy of the report and recommendation and, in doing so, secure *de novo* review by the district court. 28 U.S.C. § 636(b)(1)(C). Because Plaintiffs timely objected to the report and recommendation, the Court reviews the report and recommendation *de novo*. Having done so and for the reasons given in the report and recommendation, the Court overrules Plaintiffs' objections and adopts the report and recommendation as its own order.

Accordingly, the Court **ORDERS** that the report and recommendation of United States Magistrate Judge Dustin Howell, (Dkt. 35), is **ADOPTED**.

**IT IS FURTHER ORDERED** that Defendants' respective motions to dismiss, (Dkts. 14, 15, 16, 17, 25, 27), are **GRANTED**.

**IT IS FURTHER ORDERED** that Plaintiffs' claims against Defendants Freedom Mortgage Corporation, Nestor Trustee Services, LLC, Stan Moskowitz, Stanley Middleman, Codilis & Moody, P.C., LoanCare LLC, and Stearns Lending, LLC are **DISMISSED WITHOUT PREJUDICE**.

Pursuant to the notice of voluntary dismissal, (Dkt. 34), **IT IS FINALLY ORDERED** that Plaintiffs' claims against Defendant Angela Zavala are **DISMISSED WITHOUT PREJUDICE**.

**SIGNED** on May 8, 2023.

A handwritten signature in blue ink, appearing to read "Robert Pitman", written over a horizontal line.

ROBERT PITMAN  
UNITED STATES DISTRICT JUDGE